

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**TRAVIS RHODES, as Personal
Representative of the Estate of
TIMOTHY E. RHODES,**

Plaintiff,

v.

**Civil Action No. 2:19-cv-00626
Honorable Thomas E. Johnston**

**DEPUTY SHERIFF MICHAEL KING,
and the ROANE COUNTY COMMISSION,**

Defendants.

DEFENDANTS' MOTION TO DISMISS

COME NOW the Defendants, Deputy Sheriff Michael King, and the Roane County Commission, by counsel, Wendy E. Greve, Drannon L. Adkins, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, and respectfully move the Court to dismiss this matter. In support of their Motion, these Defendants rely upon their *Memorandum of Law in Support of Their Motion to Dismiss*, filed contemporaneously.

WHEREFORE, Defendants, Deputy Sheriff Michael King and the Roane County Commission, respectfully request that this Honorable Court dismiss the claims against them, with prejudice. These Defendants request any and all other such further relief, including costs and attorneys' fees, whether legal or equitable in character, as to which they may be entitled and to which this Court deems just and proper.

DEPUTY SHERIFF MICHAEL KING, and
the ROANE COUNTY COMMISSION

By Counsel

/s/ Drannon L. Adkins
WENDY E. GREVE, ESQ. (WVSB #6599)
DRANNON L. ADKINS, ESQ. (WVSB #11384)

PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC

JamesMark Building

901 Quarrier Street

Charleston, West Virginia 25301

Telephone: (304) 344-0100

Facsimile: (304) 342-1545

E-Mail: wgreve@pffwv.com; dadkins@pffwv.com

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CERTIFICATE OF SERVICE

The undersigned counsel for defendants, Deputy Sheriff Michael King, and the Roane County Commission, does hereby certify on this **30th day of September, 2019**, that a true copy of the foregoing “**Defendants’, Deputy Sheriff Michael King and the Roane County Commission, Motion to Dismiss**” was served upon counsel of record by depositing same to them in the U.S. Mail, postage prepaid, and addressed as follows:

Counsel for Plaintiff

L. Dante diTrapano, Esq. (WVSB #6778)
Alex McLaughlin, Esq. (WVSB #9696)
Benjamin D. Adams, Esq. (WVSB #11454)
Calwell Luce diTrapano PLLC
500 Randolph St.
Charleston, WV 25302
(304) 343-4326

R. Booth Goodwin II, Esq. (WVSB #7165)
Benjamin B. Ware, Esq. (WVSB #10008)
Stephanie H. Daly, Esq. (WVSB #8835)
Goodwin & Goodwin, LLP
300 Summers St., Suite 1500
P.O. Box 2107
Charleston, WV 25328-2107
(304) 346-7000

/s/ Drannon L. Adkins
WENDY E. GREVE, ESQ. (WVSB #6599)
DRANNON L. ADKINS, ESQ. (WVSB #11384)

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